

109TH CONGRESS
1ST SESSION

H. R. 3465

To amend title 49, United States Code, to increase penalties for pilots who violate flight restrictions established for the National capital region airspace.

IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2005

Mr. BLUNT (for himself and Mr. HOYER) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 49, United States Code, to increase penalties for pilots who violate flight restrictions established for the National capital region airspace.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Capitol Airspace En-
5 forcement Act”.

1 **SEC. 2. INCREASED PENALTIES FOR VIOLATIONS OF**
2 **FLIGHT RESTRICTIONS ESTABLISHED FOR**
3 **NATIONAL CAPITAL REGION AIRSPACE.**

4 Section 46301(a) of title 49, United States Code, is
5 amended by adding at the end the following:

6 “(6) VIOLATIONS OF FLIGHT RESTRICTIONS ES-
7 TABLISHED FOR NATIONAL CAPITAL REGION AIR-
8 SPACE.—

9 “(A) CIVIL PENALTY.—Notwithstanding
10 paragraphs (1) and (2), an individual shall be
11 liable to the Government for—

12 “(i) a civil penalty of not less than
13 \$10,000, but not more than \$100,000, if
14 the individual while acting as a pilot vio-
15 lates the District of Columbia metropolitan
16 area Flight Restricted Zone (referred to in
17 this Act as the ‘DC FRZ’) as established
18 by the Administrator of the Federal Avia-
19 tion Administration under section
20 40103(b); and

21 “(ii) a civil penalty of not more than
22 \$5,000, if the individual while acting as a
23 pilot violates the District of Columbia met-
24 ropolitan area Air Defense Identification
25 Zone (referred to in this Act as the ‘DC
26 ADIZ’) as established by the Adminis-

1 trator of the Federal Aviation Administra-
2 tion under section 40103(b).

3 “(B) PILOT CERTIFICATE.—The Adminis-
4 trator shall suspend, for a period of not less
5 than 2 years but not more than 5 years, the
6 pilot certificate of an individual who violates a
7 flight restriction described in subparagraph
8 (A)(i).

9 “(C) AMOUNT OF PENALTY.—A civil pen-
10 alty imposed under this paragraph may not be
11 compromised by the Secretary under subsection
12 (f)(1)(A)(ii).”.

13 **SEC. 3. PILOT EDUCATION.**

14 (a) SPECIALIZED PILOT INSTRUCTION.—As soon as
15 practicable, but not later than 6 months after the date
16 of enactment of this Act, the Administrator of the Federal
17 Aviation Administration shall require specialized instruc-
18 tion on proper airspace use and compliance with flight re-
19 strictions in and around special flight rules areas as estab-
20 lished by the Federal Aviation Administration under sec-
21 tion 40103(b) of title 49, United States Code. The Admin-
22 istrator shall require compliance with the requirements of
23 this subsection in the most efficient manner possible, in-
24 cluding using internet based training, printed materials,

1 flight review, or other flight training. The specialized in-
2 struction shall, at a minimum, include—

3 (1) procedures for operations in the (DC FRZ)
4 and Air Defense Identification Zone (DC ADIZ), in-
5 cluding the visual warning system;

6 (2) compliance with other security related flight
7 restrictions;

8 (3) flight planning procedures and preparation
9 for operations in the DC FRZ and DC ADIZ, and
10 other areas impacted by security-related restrictions;

11 (4) procedures for obtaining and understanding
12 notices to airmen (referred to in this Act as
13 “NOTAMs”) that are necessary to comply with se-
14 curity-related flight restrictions; and

15 (5) appropriate responses to government and
16 law enforcement authorities in the event of a viola-
17 tion, and familiarization with airborne intercept pro-
18 cedures.

19 (b) PILOT TESTING.—The Administrator shall in-
20 clude material on special flight rules and restricted air-
21 space, on both the written and practical tests for Rec-
22 reational and private pilot certificates and any other pilot
23 test that the Administrator determines is appropriate.

24 (c) NOTICE TO AIRMEN.—The Administrator shall
25 ensure that “NOTAMs” regarding the national capital re-

1 gion airspace are issued in a timely manner and are easily
2 accessible to all private pilots operating in the surrounding
3 airspace.

4 (d) RECORDATION OF TRAINING BY PILOT.—Train-
5 ing in compliance with the requirements of subsection (a)
6 shall be recorded by the pilot in the airman’s logbook.

7 (e) CONFIRMATION OF TRAINING.—Prior to leasing
8 an aircraft to be operated in the National capital region
9 airspace, the aircraft lessor shall review the airman’s log-
10 book to confirm that the pilot seeking to lease the aircraft
11 has received the training required in subsection (a).

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